

NORTH CAROLINA

FORSYTH COUNTY

**RELEASE AND
SETTLEMENT AGREEMENT**

This Agreement is made and entered into as of December 8, 2015, by and between Forsyth County ("County") and Vienna Village, Inc. ("Claimant").

WITNESSETH:

WHEREAS, the Claimant claims to have suffered a loss as a result of alleged negligence by the County on or about October 30, 2015, when a County employee's vehicle collided with the covered driveway at the Vienna Village Assisted Living facility, owned by Claimant, at 6601 Yadkinville Road in Lewisville, North Carolina ("Occurrence");

WHEREAS, the Claimant has filed a claim ("Claim") seeking recovery from the County of damages arising from or related to the Occurrence; and

WHEREAS, the County and Claimant have agreed to settle, resolve and terminate the Claim and all current and existing claims arising from or related to the Occurrence;

NOW, THEREFORE, in consideration of the above premises, the covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree as follows:

1. The County hereby agrees to pay to Vienna Village, Inc., the sum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00).

2. The Claimant, on behalf of itself and its owners, shareholders, board, officers, employees, agents, contractors, occupants, successors, and assigns, hereby releases and forever discharges the County and its employees, agents, contractors, successors, and assigns of and from any and all damages, actions, payment, and claims whatsoever arising out of or in any way related to the Claim or the Occurrence.

3. This Agreement is in settlement and compromise of disputed claims and should not be construed as an admission of liability by any party.

4. This Agreement contains the entire understanding between the parties.

IN TESTIMONY WHEREOF, the parties have executed this Agreement and set their hands and seals hereto on the year and date first written above.

VIENNA VILLAGE, INC.

By: Chris Parker (SEAL)

FORSYTH COUNTY

By: Tracy Webb

